

Appl. No. 10/706,381  
Amdt. dated 07/03/2006  
Reply to Office action of 04/04/2006

Amendments to the Drawings:

The attached sheets of drawings show changes to FIGs. 1, 2, 4, and 5. These sheets which include FIGs. 3 and 6 replace the original sheets that included FIGs. 1 - 6. In all amended drawings, all left hand edges have been redrawn to be straight lines so as to reflect the presence of the ABS.

Attachment:                      2 Replacement sheets  
   Annotated sheets showing changes to FIGs. 1, 2, 4, and 5.

REMARKS/ARGUMENTS

Examiner's ruling with regard to the restriction of claims has been duly noted. Claims 11 - 36 have, accordingly, been canceled. Divisional applications will be filed at the appropriate time.

Reconsideration is requested of all rejections based on objections to the claims:

Examiner is thanked for bringing to our attention that claims 2, 3, 5, and 7-10 make reference to dimensions that lack antecedent basis. This has been corrected through the amendment, presented earlier, of the first paragraph of the first embodiment.

Reconsideration is requested of all rejections based on 35 U.S.C. 112:

As noted by examiner, this rejection derives from the same omission discussed immediately above. So the same solution applies, namely the amendment of the first paragraph of the first embodiment.

Reconsideration is requested of all rejections based on 35 U.S.C. 102:

Examiner relies on Santini '350 for rejection of claim 4, referring to FIG. 17 of Santini which, he notes, shows a primary lower magnetic pole (element 92).

Next, he states that said FIG. 17 shows a non-magnetic layer (element 212) that "abuts and extends away from said primary pole on a first side". This is incorrect. Element 212 abuts, and extends away from, elements 206 (which are field coils). There is no insulating layer abutting element 92.

He then states that there is "a second layer of high magnetic permeability material that serves as a secondary lower pole and covers said primary pole extending

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over said non-magnetic layer on said first side as a ledge having a width (figure 2 element 202)". This is incorrect for several reasons:

(a) There is no element 202 in Santini's figure 2. We will proceed on the assumption that examiner meant figure 17.

(b) Element 202 does not extend over any non-magnetic layer. Santini does not specify element 212 to be non-magnetic (only that it is insulating) but, in any case, element 202 abuts element 212 and therefore cannot cover it.

(c) Element 202 does not fit the description of a ledge (a layer that is only partly attached to a given surface and extends away therefrom in a direction parallel to the plane of attachment). Rather, it is best described as a pedestal. With this latter distinction in mind, we have amended our claim 1 so that it now makes reference to a ledge (as already written in the specification) rather than a pedestal. It is possible that our use of the word 'pedestal' in our claim 1 caused examiner to misread this claim. If so, we do sincerely apologize.

Reconsideration is requested of all rejections based on 35 U.S.C. 103:

For his rejection of claim 1, examiner relies on Santini '350 in view of Santini '809, citing '350 as describing (through figure 17) "upper and lower magnetic poles each having a first surface, said first surfaces being parallel and non-opposing"

This is incorrect. While Santini's upper and lower magnetic poles do each have a first surface and said first surfaces are parallel, they are also opposing surfaces and cannot therefore be non-opposing. In the case of the present invention, the surfaces in question are not the horizontal top and bottom surfaces of layers 12 and 11 respectively. Rather they are the vertical surfaces at the edges of these layers. This can be better understood by referring to our FIG. 11 which shows, inter alia, layers 15 and 112. The surfaces at their left edges (running parallel to broken line 115) are both parallel as well as non-opposing.

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This misreading of the structure described by our claim 1 renders the rejection of all other claims (under U.S.C. 103) invalid since said rejections all relate to a structure that is different from the structure described in our claim 1.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

GEO. O. SAILE & ASSOCIATES  
28 Davis Avenue  
Poughkeepsie  
NY 12603

By \_\_\_\_\_

Stephen B. Ackerman  
Reg. No. 37761